

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/674,653 Confirmation No.: 4786  
Applicants : Marc E. Feinberg  
Filed : September 30, 2003  
For : TISSUE APPROXIMATION DEVICE  
TC/Art Unit : 3731  
Examiner : Melissa K. RYCKMAN  
Docket No. : ETH-5092  
Customer No.: 25570

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT UNDER 37 C.F.R. 41.33(a)**

Dear Sir:

In response to the Office Action of April 27, 2011, please amend the above-identified application as follows. This amendment is being filed pursuant to 37 C.F.R. 41.33(a), the Notice of Appeal having been filed July 27, 2011, indicating Appellants' intention to re-institute the Appeal. Consideration of the amendment is requested at this time, with Appellants' Appeal Brief to follow in due course.

**Amendments to the Claims.** Amendments to the claims begin on page 2 of this paper.

**Remarks/Argument.** Applicants' remarks/argument begin on page 10 of this paper.